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August 8, 2023

BY ECF

Honorable Vera M. Scanlon
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Payamps v. City of New York, et al.
22-CV-00563 (AMD) (VMS)

Your Honor:

I am a Senior Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney representing defendants the City of New York ("City"), Mayor Bill de Blasio, Commissioner Dermot Shea, NYPD Chief of Department Terence Monahan, Police Officer Daniel Auguste, Police Officer Corey Johnson, and Inspector Jesse Lance (collectively "defendants") in the above-referenced matter. Defendants write to respectfully request an enlargement of time, from August 8, 2023 to August 15, 2023, for them to respond to plaintiff's motion to compel dated August 3, 2023. This is the first request for such an extension. The undersigned originally requested, and plaintiff's counsel, Jessica Massimi, Esq., consented to defendants request for an enlargement until August 11, 2023. Thereafter, however, the undersigned attempted to reach out to counsel to ascertain their position on an enlargement until August 15, 2023 but has not heard back as of the filing of this letter.

By way of background, plaintiff filed a motion to compel on August 3, 2023 asking the Court to order defendants to further revise their responses to plaintiff's first set of requests for admission (See ECF No. 78). Pursuant to Your Honor's individual practice rules, responses to discovery or non-dispositive motions are due within three business days of receipt of motion. (See Rule III[b]). As such, defendants response to plaintiff's August 3, 2023 motion is currently due today, August 8, 2023.

The instant request for an enlargement of time is being made because, in light of other professional commitments, additional time is needed to respond to plaintiff's motion. Accordingly, it is respectfully requested that the Court grant defendants an enlargement of time, from August 8, 2023 to August 15, 2023, to respond to plaintiff's motion to compel dated August 3, 2023. Thank you for your consideration herein.

Respectfully submitted,

Michael Pesin-Virovets

Michael Pesin-Virovets

Senior Counsel

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cc: **By ECF**

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